

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 10-47 JJF
	:	
BRUCE E. COSTA, JR.,	:	
	:	
Defendant.	:	

**MEMORANDUM ORDER**

Defendant has filed a Motion To Set Bail (D.I. 14) with a Memorandum in Support of the Motion (D.I. 16), and a Supplemental Showing in Support of Motion (D.I. 15). The Government has filed a Response to the motion (D.I. 17) setting forth its opposition to setting bail. The Court held a hearing on the motion on June 2, 2010. The parties agreed to present their evidence by proffer which the Court permitted. At the conclusion of the hearing, the Court advised counsel that in order to resolve and clarify several disputed factual contentions, the hearing would be continued so as to allow the United States Probation Office to obtain further relevant information. Among the questions the Probation Office will investigate are:

- 1) The circumstances in which the 646.5 Oxycontin pills found in the Defendant's closet were obtained, including the name of any physician writing the prescription for the pills and the pharmacy records concerning the filling of any prescription for Defendant.
- 2) The circumstance of any payments and/or loans made by Jeremy Kashuba to Defendant

with regard to the sale and/or operation of the Renaissance Family Pharmacy. This inquiry shall address the source or origin of funds from or by which Mr. Kashuba made the purchase.

3) Any documentation from Renaissance Family Pharmacy that supports the 2009 earnings of defendant's wife, Nicole A. Costa, from said pharmacy, including an inquiry to the payroll preparer, Paychex, Inc., and any state and federal tax documents filed for the 2009 tax year by Renaissance related to the employment of Mrs. Costa. (See Hearing Exhibit 2)

4) All documents that support the "Insurance Reimbursement" deposit entries shown on pages 14 and 15 of the Renaissance Family Pharmacy General Ledger (admitted at the hearing and marked Hearing Exhibit 1) from January 4, 2010 through April 7, 2010.

The Probation Officer will provide any documents and information obtained to counsel for the Government and Defendant, so that both may supplement their arguments.

IT IS SO ORDERED.

June 4, 2010  
DATE

  
UNITED STATES DISTRICT JUDGE